

UNIVERSITY OF COLORADO BOULDER

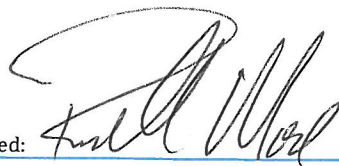
ACADEMIC REVIEW AND PLANNING ADVISORY COMMITTEE

FINAL REPORT FOR THE SCHOOL OF LAW

Presented to Provost Russell Moore

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Provost & Executive Vice Chancellor for Academic Affairs : Date

I. REVIEW PROCESS

The review of University of Colorado School of Law (LAWS; also referred to as Colorado Law) was conducted in accordance with the 2014 review guidelines. The school prepared a self-study, which was reviewed by an internal review committee (IRC) of two faculty members from outside of LAWS as well as a graduate student from outside of LAWS, and by an external review committee (ERC) consisting of three law school faculty from other institutions who visited the unit during February 2014. Each committee reviewed the self-study and other relevant documents and met with selected LAWS faculty members, students, and university administrators. The findings of the IRC and ERC are discussed in subsequent sections of this document, as appropriate.

This public document reflects the assessment of and recommendations for LAWS as approved by the members of the Academic Review and Planning Advisory Committee (ARPAC).

II. OVERVIEW OF THE UNIT: INSTRUCTIONAL PROGRAMS AND RESEARCH/SCHOLARSHIP/CREATIVE WORK

The campus's standardized description of the unit may be found on the website of the Office of Planning, Budget and Analysis (PBA) (<http://www.colorado.edu/pba/depts/arp/index.html>). PBA updates the unit profiles annually in the fall semester. The PBA data in this report are from the latest profile of LAWS available in October 14, 2013.

Personnel and Governance

The self-study states that as of November 2013, Colorado Law was comprised of 39 tenured and tenure-track (TTT) full-time faculty members (23 professors, eight associate professors with tenure, eight associate professors without tenure) and roughly 22 other faculty members (six clinical, seven legal writing instructors, nine librarians). Including the dean, the associate deans, and the Law Library director (who all teach law courses), the law school has a 9.3 to 1 student-to-faculty ratio. Relative to statistics available in U.S. News and World Report, the self-study says that Colorado law ranks among the top twenty law schools for this metric.

LAWS operates its own library, admissions, registration, career development, and alumni relations programs. The self-study states that 47 staff members (PBA indicates 43) play an integral role in fulfilling the education, scholarly, and service missions; they are divided between 10 staff assisting with the law library (some of whom are faculty members) and 37 other staff. The services provided are wide ranging and include finances, human resources, student services, as well as the running of the clinics, centers, and other initiatives.

The school is governed via the *Rules of the Law School* (bylaws), which were last updated in November of 2014. The primary means of work and decision-making, currently, is through appointed committees and faculty meetings.

According to the self-study, the dean's follow-up memos, and IRC/ERC reviews, the many Law School staff appear to have good morale in general but are terribly overworked. The IRC described them as, "fraying at the edges," and the ERC diagnosed this situation as having to do more with workload than management issues. The dean (in a March 10 memo) suggests that administration and supervisors have developed a keen sensitivity toward the plight of the staff and are employing measures (primarily via increased use of technology) to relieve it. In a separate but related initiative, the Dean started a Staff Professional Program as one way to address continued professional growth.

The law school has an active public service program, with nine clinics providing a variety of programs of clinical experiences in which students work with clients on actual legal matters or advocate a public interest issue in policy matters. LAWS additionally houses centers that are essential to the overlapping missions of research, teaching, and community engagement: Byron R. White Center for the Study of American Constitutional Law; Getches-Wilkinson Center for Natural Resources, Energy, and the Environment; Silicon Flatirons Center for Law, Technology, and Entrepreneurship. Combined, the clinics and the centers serve as "natural hubs" where educating students and engaging in scholarship intersect with service and community engagement. The centers also serve as venues where the Law School promotes collaborative initiatives with other university units. To take one example, the Flatirons Center is seen as a locus for cross-campus and community engagement initiatives that promote entrepreneurship and creative problem solving (working with, for example, the Deming Center and ATLAS). This initiative in particular, along with others, provides evidence of directly advancing the university's Flagship 2030 vision.

Research and Scholarship

The self-study mentions a strong faculty, known especially for its expertise in environmental, energy, and Native American law as well as entrepreneurship, as high among the factors that make LAWS a nationally recognized program. The ERC and IRC effectively ratified this appraisal.

The self-study describes the LAWS faculty as one that "teems with diversity," exemplifying a broad range of substantive, methodological, and stylistic approaches. The study identifies interdisciplinary engagement and eclecticism as hallmarks of its faculty's scholarship, including faculty members who collaborate across campus with scholars in political science, history, engineering and computer science, environmental

studies, business, health sciences, religion, and philosophy. Facilitating this engagement, the number of LAWS faculty possessing PhDs has increased in recent years from one to five.

The self-study cites two studies from Brian Leiter's "Scholarly Impact Rankings of Law Faculties" (<http://www.leiterrankings.com/new/index.shtml>), which ranks Colorado Law 28th among the top 70 U.S. law schools (the top 40%) as evidence of the quality and impact of faculty research in the unit. The self-study also mentions (accompanied by explicit skepticism), the *US News and World Report* rankings (a general ranking, not confined to scholarship), which place LAW forty-third among the top 120 U.S. law schools (the top 36%) (<http://grad-schools.usnews.rankingsandreviews.com/best-graduate-schools/top-law-schools/law-rankings/page+2>).

An additional source of available data, not included in the self-study, is the Academic Analytics (AA) database provided by CU Boulder's Office of Planning, Budget and Analysis. AA ranks LAWS 41st of 102 (the top 43%). The LAWS faculty rank slightly below the mean (.1 to .3 standard deviations) overall and on several measures of article publication and citations and measures of grant dollars. The LAWS faculty rank above the mean (.4 standard deviations) on books and conference proceedings. (Note: these, as all such ratings, must be treated with considerable caution. In this case, the rough distributions of values are available, and the distributions are by-and-large negatively skewed, including the overall measure. As a consequence, LAWS ranks above the median (as is captured by its inclusion in the top 43%), which is a more valid statistic in this case than the arithmetic mean).

Undergraduate Education

Colorado Law does not offer undergraduate degree programs, and there is little mention of how they engage with the undergraduate enterprise at CU.

Graduate Education

The Law School offers a traditional Juris Doctor program, with approximately 510 students over three years (entering students number between 160 and 180 per year). The self-study states that admission to the JD program is selective; only 39% of applicants were admitted. LAWS also offers eight dual-degree programs (combining with Business, Environmental Studies, Medicine, Public Administration, Science/Telecommunications, Urban Planning) and five certificate programs. Two other certificates are available (with RASEI and EnvStudies), although they administered through those units. The unit offers three tracks in the Master of LAWS (LLM) program, each of which is new and small. Finally, the nationally recognized externship program offers the opportunity for up to 120 students per semester to practice law under the supervision of a licensed attorney who is also a faculty member.

It is difficult to assess the quality of the educational offerings owing to the paucity of comparative data (i.e., relative to other law programs) reported. A March 10 follow-up memo from the dean stated that “[they] did not see any data as important to include” (referring to the PBA data); and that “they are unsure what data would be useful” (referring to other comparative data, given that the ERC would be familiar with ABA and U.S. News measures). Notwithstanding such claims, a thorough review process would benefit from more comparative data, which may be readily at hand. For example, the 2010 accreditation report from the American Bar Association states that, “In each of the past five years, more than 90% of the Law School's graduates took their first bar exam in Colorado. . . . in each of those years the Law School's first-time takers passed the Colorado bar exam at a rate higher than the average for graduates of all ABA-approved law schools taking the exam in the state.”

Space, Staff, and Infrastructure

Since 2006, the Law School has been housed in the Wolf Law Building. Five floors and 184,000 square feet provide a single venue for all functions (e.g., curricular, programmatic, centers). While recognizing and appreciating the newness and handsome nature of the space provided by this structure, the self-study mentions two issues with the space. The first refers to the design of various spaces, particularly how the “stately colloquium is ill-suited for more informal meetings and is overbooked” while the “diminutive lunch room is overflowing.” The result, they claim, is restricted opportunity for random encounters essential to a vibrant communal life of scholars. The second relates to the crowded nature of how other space is used (apparently throughout the rest of the building) and has the most direct bearing on the continued growth of associated curricular programs, particularly the centers. Additional, designated, and permanent space, the self-study claims, would provide more breathing room that would enhance the intellectual life of the law school.

Combined, these claims form the basis for a request to re-occupy space in Fleming, the Law School's previous facility. The self-study claims that this space would be a locus for stronger community engagement and more efficient operation of various programs, particularly those associated with **three** centers.

Budget

The self-study prefaces its discussion of its budget model and alternative revenue opportunities by describing changes in the profession and in legal education that significantly impinge upon these considerations. In particular, job opportunities have diminished due to structural rather than cyclical trends, and applications to law schools have dropped some forty percent since the last economic downturn. Although LAWS has so far managed to avoid decreased enrollment, its budget situation must be viewed

against this national backdrop. Locally, LAWS anticipates further cuts in state support to the Boulder campus, which, it believes, will have a negative impact on its budget.

The LAWS budget derives from five primary sources:

1. Student fees;
2. Campus general fund;
3. Alternative (and auxiliary) revenue (e.g., conference registration and tuition and revenue from non JD programs);
4. Government and industry grants and contracts;
5. Fundraising support (from donors' contributions, gifts, and investment earnings);
6. LAWS tuition differential (83.3% of the differential has been returned to LAWS in recent years, with 16.7% going to the campus)

LAWS has three centers (Byron R. White Center for the Study of American Constitutional Law; Getches-Wilkinson Center for Natural Resources, Energy, and the Environment; and the Silicon Flatirons Center for Law, Technology, and Entrepreneurship that are supported through a combination of the general fund, auxiliary funds, gifts, fees, grants, fundraising, and other sources. The White Center is completely funded by an endowment and gifts; the other centers depend on a more-complicated combination of sources. Only the Getches-Wilkinson Center consistently procures research grants.

External contracts and grants comprise a very small share of LAWS' budget. Data from PBA indicate that LAWS had direct total grant expenditures of just less than \$5M over the past five years (approximately \$37,000 per year per TTT faculty member). Recently, significant support has been attracted by the Getches-Wilkinson Center for Natural Resources, Energy and the Environment, including from the Governor's Climate and Forest Task Force. In general, however, there are no current plans to expand efforts to procure external funding except insofar as staff and faculty are able and willing to do so.

According to the self-study, fundraising was once more a luxury than a necessity. That changed in the late 1990s, and LAWS responded accordingly. LAWS has significantly increased its efforts since that time, raising external funds to help fund the Wolf Law Building (completed in 2006) and launching the Campaign for Colorado Law's Future in 2011. LAWS now seeks to engage alumni and friends actively in the responsibility of supporting Colorado Law and its shared mission. Alumni have increasingly recognized this responsibility to "pay it forward," according to the self-study. In the 2011 academic year, for example, only 14% of all alumni made a contribution to Colorado Law. In the 2013 academic year, 17.5% of alumni did so. As a result of such efforts, LAWS' endowment increased from approximately \$47 million in June 2011 to approximately \$61 million in September 2013. Nonetheless, the size of LAWS' endowment remains well below its peers.

Since the last program review, LAWS implemented several master's degree (LLM) programs to enhance revenues, but enrollment in these programs has fallen far short of what was hoped for. Other avenues are suggested in the self-study to increase revenues from student tuition and fees, namely, by offering master's degree programs without requiring a JD as a prerequisite and offering "boot camps" to train new employees of, for example, law firms, accounting firms, and in-house legal departments. Law is currently replacing the LLM, which was previously approved, with the Masters of Studies in Law (MSL).

III. HISTORY OF PROGRAM REVIEW

LAWS last underwent program review in 2002. At the time of the review, the Program Review Panel (PRP) reported that LAWS had 35 TTT faculty positions (three vacant), 17 non-tenure-track faculty members, and four research associates. Of the 32 occupied TTT positions, there were 21 professors (15 white male, three white female, and five minority male); and 11 associate professors (three white male, two minority male, and six white female). One African American female had been hired at the associate level to fill one of the vacancies. Among the non-TTT faculty, there were five clinical professors (three white males and two female minorities); three legal writing professors (two white males and one white female); one adjunct professor (minority male who is associate dean for academic affairs); two library faculty members at the rank of Senior Instructor (both white females); five library faculty members at the rank of Instructor (two white females and three white males); three research associates (two white males and one white female); one white male assistant research professor; and one white female senior research professor.

The graduate program enrolled 490 JD students, of whom 19% were classified as minorities. The typical entering class numbered 165.

The PRP report concurred with the IRC and the ABA accreditation external review committee (which took the place of the ERC in 2002) and with the 2002 LAWS self-study that (1) "the quality of our faculty and student body place us in the top rank of publicly-supported law schools" and that (2) LAWS' "physical plant, support for faculty, and library budget are not generally on a par with peer programs and present serious problems as the School attempts to improve its position among the country's law schools." Addressing the items in (2), as well increased efforts at fundraising, were among the recommendations of the PRP, each of which LAWS has made serious efforts to address in the interim. These efforts have met with some measure of success. An issue raised in the 2002 PRP report and echoed in the 2014 ERC as still in need of attention is faculty climate, for which, although there have been "significant strides," "there is room for improvement."

IV. LAWS IN A CAMPUS CONTEXT

Law schools, in general, are relatively separate units on university campuses—typically only offering one type of focused degree (i.e., JD) and also being relatively insular in nature. The Law School toes a fine line in this respect. As the only public law school in the state of Colorado, there are a variety of signs to suggest that the unit contributes more to broader campus initiatives than comparable law schools. These contributions include, but are not limited to, the following:

- Several joint degree programs and a handful of certificates available for graduate students.
- PBA reports that at least six faculty who contribute to the TTT faculty total in the School of Law are affiliated with another unit on campus (e.g., Interdisciplinary Telecommunications, Environmental Studies).
- Four LAWS centers that serve as the campus (and community) outreach arms of the unit. The presence of these centers is growing as are associated programs to promote the law school's collaborative initiatives with other university units. In particular, the self-study mentions the Silicon Flatirons Center as a locus for a cross-campus and community engagement initiatives that promote entrepreneurship and creative problem solving. (The center collaborates with, for example, the Deming Center and ATLAS). This initiative, combined with others, provides evidence that LAWS is directly advancing the university's Flagship 2030 initiatives.
- Other campus initiatives such as RASEI, the emerging School of the Environment and Sustainability, and the College of Media, Communication, and Information will draw upon expertise from LAWS and could further benefit the campus.

V. LAWS IN A DISCIPLINARY CONTEXT

According to the self-study, LAWS enjoys a high reputation for the quality of its faculty, graduate students, and research. Within the discipline, senior faculty members are highly visible and esteemed in regional, national, and international professional associations. The faculty publish law journal articles, scholarly books and chapters, and articles in other disciplines. Some of this work is associated with the school's three nationally and internationally recognized research centers: the Byron White Center, the Getches-Wilkinson Center, and the Silicon Flatirons Center. In more specific arenas, the faculty have gained a national reputation for their work in technology and intellectual property law; natural resources, energy, and environmental law; American Indian law, juvenile and family law, public service law; and entrepreneurial and business law.

VI. ANALYSIS

Governance

According to the self-study, “the tension between faculty governance and committee deference is perhaps felt most starkly each year in the faculty appointments process.” According to the ERC, “there is a set of governance concerns that triggers sharp and persistent disagreement between some faculty members and this dynamic can impede faculty unity.” All three reports (self-study, IRC, ERC) reference unresolved issues regarding the culture in LAWS, largely related to matters of governance. Alternative forms of governance (e.g., an executive committee) have been discussed, but the issue appears to be unresolved. Annual town hall meetings are yet another approach that has been under consideration to resolve these issues. Despite the lingering issues, several signs point to an improved faculty culture, as suggested by the ERC and evidenced by the faculty’s recently reaching agreement on the school’s hiring agenda and the successful recruitment of promising junior scholars.

Structure, Growth, and Planning

LAWS’ strategic plan (the “Colorado Law Action Plan”) specifies five general goals and seven initiatives to pursue them:

The goals:

1. Provide students with an excellent return on their investment—educating them and training them to be outstanding legal professionals who are sought out for, and thrive in, satisfying and gainful employment;
2. Maintain an engaged, diverse, and inclusive community of outstanding students, faculty, staff, alumni, and friends who help and support one another as well as serve communities;
3. Develop a sustainable financial model that weathers the continued falloff in state support while minimizing any future tuition increases;
4. Produce top scholarship and provide thought leadership that engages a variety of audiences and addresses the contemporary issues of the profession and communities; and
5. Communicate that the school is doing something special.

The initiatives:

1. Identify and recruit incoming students who are most likely to succeed;
2. Recruit and retain faculty and staff who provide the highest value and to contribute to the school’s vision, supporting scholars and teachers striving to be at the top of their field;
3. Explore and expand innovative course offerings, teaching methodologies, and educational experiences that will develop the breadth of competencies to enable students to thrive in a changing professional environment;

4. Develop a series of external outreach and internal efforts that position graduates for satisfying and financially sustainable traditional and non-traditional legal jobs;
5. Manage the school's financial model, enabling the unit to weather the decline of state support while holding the line on any future tuition increases. In particular:
 - a. develop alternative revenue opportunities;
 - b. look for ways to educate students in the most cost-effective manner possible and manage expenses wisely; and
 - c. build support for the Campaign for Colorado Law's Future, enabling the school to invest in compelling human capital needs.
6. Engage alumni, the legal profession, and the broader community more effectively to support the overall goals and enhance community, thereby raising the quality of the educational experience and creating opportunities for students;
7. Maintain and build on centers and specialty areas (e.g., natural resources, energy, and environment; technology and entrepreneurship; public law and public service) that attract students, create opportunities for faculty, staff, students, and alumni, and contribute to the overall community.

These goals are ones ARPAC can clearly endorse. For the purpose of this review, ARPAC has focused on the initiatives that LAWS has formulated in pursuit of these goals.

The self-study describes ways in which LAWS is already actively pursuing initiatives 5b and c, 6, and 7; there was little concern expressed by the IRC, ERC or ARPAC about these efforts. Initiatives 1-4 and 5a deserve further examination.

Initiative 1, identifying and attracting the best students, cannot be pursued in isolation from the school's commitment to diversity. The effort to predict which students are most likely to succeed could have the perverse effect of obstructing increased diversity if the law school does not take care to examine carefully the conditions under which various kinds of students succeed, how success is defined and measured, at what institutions, and so on. This caution is offered not to suggest that LAWS would ignore such considerations in its student recruitment efforts but to spell out more precisely the various considerations that should go into identifying students most likely to succeed.

Initiative 2, maintaining a diverse and supportive community, is too general in the absence of a reasonably precise plan for future faculty hiring. The TTT faculty has 23 professors and 16 associate or assistant professors, in addition to other teaching faculty. There was little explicit mention of the need for additional faculty lines. Rather, issues of retention and ability to attract new faculty were strongly underscored in self-study materials. In particular, the self-study cited the loss over the past few years of four top faculty members to other institutions that offered more generous salaries and future losses that will occur in the next three to five years due to retirements. In describing what considerations will figure into future hires, the self-study reaffirms its commitments to diversity, to seeking the best scholars, and to other general principles. The self-study also describes the kinds of faculty members LAWS is seeking for several

searches already underway. Beyond these specifics, however, the self-study (including the strategic plan, the “Colorado Law Action Plan”) lacks a plan and rationale for future faculty hires. This, apparently, is not simply a lacuna. The self-study states that “determining what the Law School faculty should look like in seven years is beyond the purview of [the] Program Review Committee.” Rather, such decisions should be made through a process of “ongoing an open dialogue among the faculty.”

ARPAC appreciates the difficulty (one experienced by all units) of anticipating the unit’s faculty hiring needs seven years hence. But a strategic hiring plan is not a binding contract; changes in plans can be, and are likely to be, required. A tentative plan is possible to formulate and can provide useful guidance, if only as a starting point for deliberation.

Initiative 3, expanding course offerings and employing innovative teaching methods, is primarily addressed via the response to self-study Question 6 (curricular and extracurricular enrichment strategies). In it, LAWS stresses the varied pedagogical approaches that are employed throughout much of the curriculum. These include experiential learning, critical learning, externships, extracurricular learning, and other cutting-edge pedagogical initiatives. The self-study also mentions continued efforts to enhance the general nature of teaching via open classroom week (faculty visit each other’s class), buddy program (faculty exchange classroom insights), and roundtable discussions with the associate dean.

The manner in which the self-study addressed Initiative 4 was significantly lacking in detail.

Initiative 5a, developing alternative revenue sources, must be crafted so as to respond to several currently existing constraints identified in the self-study: the JD program cannot increase its enrollment; tuition increases are to be avoided; and state support will continue to decrease.

Graduate Education and Support

The typical model of Law education is dominated by students paying full tuition, and the average debt at graduation exceeds three years of tuition. The self-study states that LAWS is aggressively pursuing efforts to increase its ability to provide select scholarships. It is also clear that the unit is adamantly opposed to increasing tuition.

Space

The Wolf Law Building provides a relatively new structure that is currently housing all of the Law School’s operations. The self-study alludes to a request for space in Fleming to provide more “breathing room.” There is mention in the March 10 memo of a separate and more detailed response on this issue (“Be Entrepreneurial”), but it was not located

in the review documents. Given that the recently built Wolf Law Building was intended to service a significantly larger student body and that patterns of law library usage may have shifted to lower intensities since Wolf was planned, it remains unclear whether the Law School has made sufficient effort to reconfigure its current spaces and the way they are used. Such an effort should be undertaken before making a request for new space external to the Wolf Law Building.

Diversity

The LAWS self-study affirms a strong commitment to diversity, in the values it espouses for itself and for the legal profession, in its statements and initiatives regarding the recruitment and retention of minority students and faculty, and in the many diversity, intercultural understanding, and community engagement activities that it spearheads. However, despite the school's commitment and efforts, there has been little notable progress since 2002 with respect to increasing the racial/ethnic minority presence in the student body and the TTT faculty. Minority students made up 19% of the student body, according to the 2002 PRP report; according to the most recent PBA date, minority students now make up 21% of the student body. . *US News* ranks LAWS 112th of 191 accredited law schools on its student diversity index (the lower 42%). The most current PBA data indicate that 25% of the LAWS TTT faculty are minorities (with approximately 13% being under-represented minorities); in 2002 the figure was 24% (disaggregated data on under-represented minorities are not available). Comparative data on the gender makeup of the student body are not available. Among the TTT faculty, LAW made notable progress toward gender equity: 33% of LAWS TTT faculty members in 2002 were female; by 2012, 39% of TTT faculty members were female.

The self-study is surely justified in claiming that the competition is keen for minority students and faculty members, particularly for under-represented minorities. And it is also justified in seeking additional resources for this purpose. In the absence of comparative data, however, it is difficult to know how well LAWS is faring relative to other law schools engaged in similar recruitment and retention efforts. To that end, it would be useful to consult comparative statistics, for example, those compiled by the ABA. Having comparative data in hand would facilitate setting reasonable goals. More specificity than that provided in the faculty and student recruitment plans described in the self-study should be pursued as well.

Faculty Mentoring and Retention

The number of untenured TTT faculty members in LAWS has decreased from 14 in 2002 to five as of the self-study, as untenured faculty members have earned tenure. This change potentially provides more tenured faculty members to participate in mentoring while it also reduces the number of untenured faculty members who can share in the experience of navigating the tenure process.

The formal mentoring system is led by the associate dean for research (ADR), typically appointed for a two- to three-year term, who mentors all junior faculty members in scholarship by commenting on draft work, providing advice on research agendas, and organizing the LAWS works-in-progress program. The ADR also collaborates individually with each junior faculty member's formally assigned senior faculty mentor.

The current associate dean for academic affairs (ADAA) has created new opportunities for junior faculty members also to be mentored in teaching, including the "Open Classrooms Week" and "Teaching Buddies" programs. The ADAA also organizes brown bag discussions of teaching and encourages junior faculty members to invite senior colleagues to observe their teaching.

Various senior faculty members engage in mentorship informally by participating in activities such as checking in on junior faculty members to see how they are doing, organizing group discussions between mentors and mentees, and creating networking opportunities for junior faculty members to meet and interact with top scholars in the field.

As the above sketch from the LAWS self-study suggests, it has implemented a well-considered and relatively comprehensive system of junior faculty mentoring activities. However, little evidence is provided in the self-study for how well the system is, in fact, working.

The ERC report provides some pertinent observations in this regard. Based on their interviews with LAWS faculty, the ERC describes the faculty, including the junior faculty, overall as "happy." However, they did detect several concerns in the tenure and promotion process, including mentoring. First, junior faculty members were confused about whether the number of publications required for tenure was fixed or increased as a constant multiplied by years in rank. And they were concerned about expectations they perceived to be placed upon them to contribute to the work of the centers in the absence of any clarity about how they would be credited for this work (or not) in the evaluation of their merit. Second, the ERC believed that consideration should be given to reducing the reappointment decision point from four to three years to avoid having only one year between reappointment and the first year (the fifth) in which a candidate can (normally) be considered for tenure.

The four-year reappointment period is a rule imposed by the University of Colorado Board of Regents and not within the purview of LAWS to change. Addressing the confusion among some of the junior faculty regarding the relationships among years in rank, publications produced, and eligibility for tenure, as well as how work in the centers is credited, are all within the purview of LAWS.

VII. RECOMENDATIONS

To the School of Law:

1. To better demonstrate the need for desired resources, compile detailed data related to scholarship, student success, and other activities to document the school's position and comparative standing relative to national peers (e.g., to other law units from AAU public institutions or other peer groups of the school's choosing).
2. Continue to improve recruitment and retention of students from underrepresented groups by: (a) fully investigating comparative data and establishing benchmarks, and (b) aggressively recruiting students into LAWS from national and regional pools, and particularly, the CU campus.
3. Articulate clearer pathways to establish a more diverse funding base for the unit, including but not limited to external grant funding, corporate sponsorships, external sources of scholarships, and tuition from newly developed degrees, certificates, and collaborative educational programs with other units (e.g., engineering and business).
4. Develop a TTT faculty hiring strategic plan that addresses the following:
 - Current and anticipated trends in legal scholarship and other specific directions LAWS may take;
 - The roles of clinics and clinical faculty in the increasing emphasis on practical education and in the pursuit of law-related educational programs beyond the traditional JD;
 - Strategies to recruit candidates from underrepresented groups.
5. Continue to improve mentoring (pre -and post-tenure) by evaluating the preparation of mentors and the effectiveness of mentor-mentee communication.
6. Ensure that standing rules and practices (e.g., tenure, reappointment, promotion) are consistent with university rules. Clarify expectations regarding the participation of probationary faculty members in centers and how their participation will be credited in both workload calculations and overall assessment of their performance. .
7. Continue efforts to integrate LAWS more fully into the activities of the broader CU Boulder community by aggressively seeking opportunities to engage with broader, university-based initiatives.
8. Continue to explore suitable strategies to address governance-related issues that

have been more clearly articulated in the course of this review process (e.g., implementing elected rather than dean-appointed school committees, articulating the specific functions of town hall forums).

9. Explore the manner in which the space in Wolf is currently utilized and ways of reconfiguring it. Draw on the findings of the Space Utilization Study.

To the provost:

10. Ensure that the Office of Faculty Affairs consults with LAWS to develop and ensure adherence to appropriate university rules and procedures for reappointment, promotion, and tenure reviews.

The dean of the School of Law shall report annually to the provost on the first of April for a period of three years following the year of the receipt of this report (i.e., April 1st of 2016, 2017, and 2018) on the implementation of these recommendations. The provost, as part of the review reforms, has agreed to respond annually to all outstanding matters under her/his purview arising from this review year. All official responses will be posted online and made available for university community comment.